



LEGISLATURE

MINUTES

JUDICIARY INTERIM COMMITTEE

Wednesday, August 21, 2019 | 1:15 p.m. | 20 House Building

Members Present:

Sen. Todd Weiler, Chair
Rep. Karianne Lisonbee, Chair
Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Rep. Cheryl K. Acton
Rep. Brady Brammer
Rep. Craig Hall
Rep. Jon Hawkins
Rep. Eric K. Hutchings

Rep. Brian S. King
Rep. Stephanie Pitcher
Rep. Travis M. Seegmiller
Rep. V. Lowry Snow
Rep. Steve Waldrip
Rep. Mark A. Wheatley

Staff Present:

Mr. Joseph T. Wade, Policy Analyst
Ms. Jacqueline Carlton, Associate General Counsel
Mr. Nathan Erickson, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Weiler called the meeting to order at 1:42 p.m.

1 . Uniform Guardianship, Conservatorship, and Other Protective Arrangements

Sen. Lyle Hillyard spoke to S.B. 53, Uniform Guardianship, Conservatorship, and Other Protective Arrangements.

[3 - 2019 General Session S.B. 53, Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act](#)

2 . Uniform Criminal Records Accuracy

Sen. Lyle Hillyard spoke to S.B. 183, Uniform Criminal Records Accuracy.

[4 - 2019 General Session S.B. 183, Uniform Criminal Records Accuracy Act](#)

3 . Committee Business

MOTION: Rep. Karianne Lisonbee moved to approve the minutes of the June 19, 2019, meeting. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. B. Brammer
Rep. C. Hall
Rep. J. Hawkins
Sen. L. Hillyard
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Sen. T. Weiler
Rep. M. Wheatley

Nays-0

Absent-5

Rep. C. Acton
Sen. K. Cullimore
Sen. L. Escamilla
Rep. E. Hutchings
Rep. S. Waldrip

4 . Sex and Kidnap Offender Registry

[2a - Utah Code Title 77, Chapter 41, Sex and Kidnap Offender Registry](#)

Jennifer Calvo, Utah Department of Corrections, and Amanda Montague, Assistant Utah Attorney General/Deputy Division Director - State Agency Division, presented information and statistics about the Sex and Kidnap Offender Registry and answered questions from the committee.

[2b - Sex and Kidnap Offender Registry -- Department of Corrections Presentation](#)

Jacqueline Carlton, Associate General Counsel, Office of Legislative Research and General Counsel, provided a historical background of the Sex and Kidnap Offender Registry.

[2c - Overview of Historical Offenses - Presentation](#)[2d - Overview of Historical Offenses - Handout](#)

Jennifer Calvo and Amanda Montague answered questions from the committee.

Committee discussion about opening a bill file.

Chair Weiler opened the meeting for public comment.

Faye Jenkins, Utah Prisoners Advocate Network, spoke to the issue.

Jeff Miller, National Association for Rational Sexual Offense Laws, spoke to the issue.

Committee discussion.

MOTION: Rep. Karianne Lisonbee moved to open a committee bill file to address issues raised regarding the Sex and Kidnap Offender Registry.
The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Acton
Rep. B. Brammer
Sen. K. Cullimore
Sen. L. Escamilla
Rep. C. Hall
Rep. J. Hawkins
Rep. E. Hutchings
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. S. Waldrip
Sen. T. Weiler
Rep. M. Wheatley

Nays-0Absent-2

Sen. L. Hillyard
Rep. V. Snow

5 . Parents Not Paying Child Support[5a - Utah Code Title 76, Chapter 7, Part 2, Nonsupport and Sale of Children](#)[5b - 2019 General Session H.B. 450, Criminal Nonsupport Amendments](#)

Shelley Condreaut, Family Justice Section Director, Utah Attorney General's Office, gave a presentation and provided background relating to parents who fail to pay court-ordered child support, and answered questions from the committee.

[5d - Criminal Nonsupport Amendments – Utah Attorney General's Office presentation](#)

[5c - Fact Sheet - Criminal Nonsupport Amendments](#)

6 . Insanity Defense

[7a - 2019 General Session H.B. 225, Insanity Defense Amendments](#)

[7e - 1983 Session Laws, Chapter 49, Insanity Defense](#)

[7b - Kahler v Kansas – Brief for petitioner, Kahler](#)

[7c - Kahler v Kansas – Brief for respondent, Kansas](#)

[7d - Kahler v Kansas – Brief of Amici Curiae, Utah et al](#)

Rep. Carol Moss commented.

Paul Cassell, Professor of Law, S.J. Quinney College of Law at the University of Utah, spoke on the issue of an insanity defense in Utah.

[7f - Testimony of Professor Paul G. Cassell regarding Insanity Defense Amendments](#)

Rep. Carol Moss introduced the topic of insanity defense and provided background regarding the issue.

Neal Hamilton, Trial Attorney at the Salt Lake Legal Defender Association, spoke to the issue.

Dr. Trent Holmberg, President of Utah Psychiatric Association, spoke to the issue and answered questions from the committee.

7 . Other Items/Adjourn

MOTION: Rep. Brammer moved to adjourn. The motion passed with a vote of 13 - 0 - 3.

Yeas-13

Rep. C. Acton
Rep. B. Brammer
Sen. K. Cullimore
Sen. L. Escamilla
Rep. J. Hawkins
Rep. E. Hutchings
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Sen. T. Weiler
Rep. M. Wheatley

Nays-0

Absent-3

Rep. C. Hall
Sen. L. Hillyard
Rep. B. King

Chair Weiler adjourned the meeting at 3:55 p.m.

